

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

LORI BERMEA, §
§
Plaintiff, §
§
VS. § CIVIL ACTION NO. SA-22-CV-00481-FB
§
WAL-MART STORES TEXAS, LLC, §
§
Defendant. §

ORDER ACCEPTING REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE

The Court has considered the Report and Recommendation of United States Magistrate Judge filed in the above-captioned cause on March 5, 2024 (docket #30), concerning Defendant Wal-Mart Stores Texas, LLC's Rule 56 Motion for Partial Summary Judgment (docket #22). To date, the docket reflects no objections to the Report and Recommendation have been received.

Because no party has objected to the Magistrate Judge's Report and Recommendation, the Court need not conduct a de novo review. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). The Court has reviewed the Report and finds its reasoning to be neither clearly erroneous nor contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989). The Recommendation shall therefore be accepted pursuant to 28 U.S.C. § 636(b)(1) such that Defendant Wal-Mart Stores Texas, LLC's Rule 56 Motion for Partial Summary Judgment (docket #22) shall be GRANTED such that Plaintiff's claims for gross negligence, and the direct negligence claims of negligent hiring, training, supervision, and retention shall be DISMISSED WITH PREJUDICE.

Accordingly, it is hereby ORDERED that the Report and Recommendation of United States Magistrate Judge filed in this cause on March 5, 2024 (docket #30), is ACCEPTED pursuant to 28

U.S.C. § 636(b)(1) such that Defendant Wal-Mart Stores Texas, LLC's Rule 56 Motion for Partial Summary Judgment (docket #22) is GRANTED and Plaintiff's claims for gross negligence, and the direct negligence claims of negligent hiring, training, supervision, and retention are DISMISSED WITH PREJUDICE.

It is so ORDERED.

SIGNED this 21st day of March, 2024.



FRED BIERY
UNITED STATES DISTRICT JUDGE